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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,444	04/17/2001	Satoshi Kuroyanagi	35.G2788	5469
5514	7590	07/14/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PHILLIPS, HASSAN A	
		ART UNIT	PAPER NUMBER	
		2151		

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/835,444	KUROYANAGI, SATOSHI
	Examiner Hassan Phillips	Art Unit 2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 July 2001.  
 2a) This action is **FINAL**.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-30 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-30 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 17 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 7/12/01.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The Information Disclosure Statement (IDS) filed July 12, 2001, has been received and considered by the Examiner.

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: COMMUNICATION DEVICE, COMMUNICATION METHOD, COMPUTER PROGRAM, AND STORING MEDIUM FOR AN ADDRESS BOOK.

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claim 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 26 recites the limitation "said address book" in the 4<sup>th</sup> line of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-9, 11, 13-19, 23, 24, 27, 28, are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants Admitted Prior Art (AAPA) in view of Johnson et al. (hereinafter Johnson), U.S. Patent 5,113,519.

3. In considering claims 1, 9, 11, 19, 23, and 24, the AAPA discloses a communication device having an address book storing data of communication destination, the communication device comprising:

a) First access means for accessing data of the address book in response to operations of a Resident Panel, (page 2, lines 4-6).

Although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Permitting or denying address book data changing requests from the first access means, or other devices on a network.

Nevertheless, permitting or denying data changing requests for a first access means, or a second access means from devices on a network was well known in the art at the time of the invention. This is exemplified by Johnson in a similar field of endeavor that teaches a distributed data processing system comprising:

- a) Second access means for accessing data in response to requests from other devices on a network, (col. 6, lines 11-17); and
- b) Control means for deciding to permit or deny data changing requests from a first access means, and from the second access means, (col. 6, lines 24-35).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show second access means for accessing data in response to requests from other devices on a network, and a control means for deciding to permit or deny address book data changing requests from the first access means, and from the second access means. This would have allowed for modification of the address data book by more than one access means in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

4. In considering claims 3 and 13, Johnson teaches the control means preventing changing the data from the second access means in the event that access to the data from the first access means is active. See col. 6, lines 24-35. One of ordinary skill in the art would combine the teachings of AAPA and Johnson for the reasons indicated in consideration of claim 1.

5. In considering claims 4 and 14, the AAPA discloses:

- a) A first display means for displaying a first guide display on a Resident Display for accessing the address book from the first access means, (page 2, lines 4-6).

Although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Changing the data of the address book from a second access means.

Nevertheless, Johnson teaches:

- a) The control means preventing changing the data from the second access means synchronously with obtaining a token by the first access means, (col. 6, lines 24-35).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show the control means preventing changing the data from the second access means synchronously with starting a display by the first guide display. This would have allowed for modification of the address data

book by more than one access means in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

6. In considering claims 5 and 15, although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Changing the data of the address book from a second access means.

Nevertheless, Johnson teaches:

- a) The control means permitting changing the data from the second access means synchronously with releasing a token by the first access means, (col. 6, lines 24-35).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show the control means permitting changing the data from the second access means synchronously with ending of a display by the first guide display. This would have allowed for modification of the address data book by more than one access means in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

7. In considering claims 6 and 16, although the AAPA shows substantial features of the claimed invention, it fails to show:

- a) Permitting changing requests from the first access means in the event that a second guide display is displayed on other devices.

Nevertheless, Johnson teaches:

- a) Permitting data changing requests from the first access means in the event that the data is being displayed on other devices, (col. 6, lines 36-39).

Thus, given the teachings of Johnson, it would have been obvious to one of ordinary skill in the art to modify the AAPA to show permitting address data book changing requests from the first access means in the event that a second guide display is being displayed on a display of other devices. This would have made the address book data available for viewing and modifying by multiple devices in a distributed processing environment, in a safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

8. In considering claims 7 and 17, the AAPA discloses the address book storing addresses corresponding to multiple communication protocols for each destination. See page 1, lines 21-25, and page 2, lines 1-3.

9. In considering claims 8 and 18, the AAPA discloses a means for providing functions of access to the address book for other devices by WWW server functions. See page 1, lines 16-20.

10. In considering claims 27 and 28 see Johnson, Fig. 5.

11. Claims 2, 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over the AAPA in view of Johnson, and further in view of Richard et al. (hereinafter Richard) U.S. Patent 6,289,348.

12. In considering claims 2 and 12, although the AAPA and Johnson show substantial features of the claimed invention, they fail to explicitly show:

- a) Giving priority to the first access means over the second access means.

Nevertheless, in a similar field of endeavor, Richard discloses a method and system of processing membership information comprising:

- a) Giving priority to requests for changing data in a database from a first access means over requests for changing the data of the database from a second access means, (col. 3, lines 55-67).

Thus, given the teachings of Richard, it would have been apparent to one of ordinary skill in the art to modify the AAPA and Johnson, to show giving priority to requests for changing data in the address book from the first access means over requests for changing the data of the address book from the second access means. This would have safeguarded the data in the address book by allowing the first access means to have ultimate control over what modifications should be made to the data, Richard, (col. 3, lines 63-67).

13. Claims 10, 20, 25, 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of the AAPA.

14. In considering claims 10, 20, and 25, Johnson discloses a communication device having a database storing data, the communication device comprising:

- a) A remote operating unit for establishing a communication connection for providing functions of access to the data for a plurality of remote users on a network, (col. 6, lines 11-17);
- b) A control unit for denying requests for changing the data by other remote users following a communication connection being established for a request for changing the data from one remote user by the remote access means, until the connection is released, (col. 6, lines 24-35).

Although Johnson discloses substantial features of the claimed invention, he fails expressly show:

- a) The data being address book data.

Nevertheless, address book data was well known in the art at the time of the present invention. The applicant, in the applicant's disclosure, exemplifies this where the disclosure teaches:

- a) Transmission destinations for images registered in a database called an address book, (page 1, lines 21-25, and page 2, lines 4-6).

Thus, given the AAPA, it would have been obvious to one of ordinary skill in the art to modify Johnson to show the data being address book data. This would have allowed for modification of the address data book by more than one access means in a

safe, accurate, and efficient manner without creating undue overhead and network traffic, Johnson, col. 6, lines 1-11.

15. In considering claim 29 see Johnson, Fig. 5.

16. Claims 21, 22, 26, 30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of the AAPA, and further in view of Suzuki et al. (hereinafter Suzuki) U.S. Patent 4,907,188.

17. In considering claims 21 and 26, Johnson teaches a method and a computer program for accessing data with a communication device comprising the steps of:

- a) Accessing the data via a first interface, and a second interface different from the first interface, (col. 6, lines 11-17);

Although Johnson discloses substantial features of the claimed invention, he fails expressly show:

- a) The data being address book data.

Nevertheless, address book data was well known in the art at the time of the present invention. The applicant, in the applicant's disclosure, exemplifies this where the disclosure teaches:

- a) Transmission destinations for images registered in a database called an address book, (page 1, lines 21-25, and page 2, lines 4-6).

Although Johnson and the AAPA show substantial features of the claimed invention, they fail to expressly show:

- a) Generating a guide display for accessing the data.

Nevertheless, generating a guide for accessing data was, if not implicit in the teachings of Johnson, well known in the art at the time of the present invention. This is exemplified in a similar field of endeavor where Suzuki discloses an image information search network system comprising:

- a) A display for displaying operation guides, (col. 4, lines 38-41).

Thus, given the teachings of AAPA, and Suzuki, it would have been apparent to one of ordinary skill in the art to modify Johnson, to show the data being address book data, and generating guide display data for accessing the address book based on access from either of the first interface or the second interface. This would have provided a safe, efficient, user-friendly means for accessing data from the address book through either a first or second interface.

18. In considering claim 22, it is implicit in the teachings of Johnson that the second interface contains data for executing a predetermined program in response to instructions from an operator. See col. 6, lines 11-17.

19. In considering claim 30 see Johnson, Fig. 5.

***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson et al., U.S. Patent 5,113,519, discloses a distributed processing system for accessing and modifying data.

Richard et al., U.S. Patent 6,289,348, discloses a method and system for processing membership information on a computer network.

Suzuki et al., U.S. Patent 4,907,188, discloses an image information search network system where a device in the network comprises a display for an operation guide.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (703) 305-8760. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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7/2/04



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